

Panaji, 25th October, 1979 (Kartika 3, 1901)

SERIES I No. 30

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA, DAMAN AND DIU

### GOVERNMENT OF GOA, DAMAN AND DIU

Finance Department (Revenue and Control)

#### Notification

4-8/Pens/76/Fin(R&amp;C)/Vol. I

Read: Government Notification No. Fin(Cont) 12-2/66/Vol. II (Part II) dated 31-3-1969 published in the Official Gazette No. 3, Series I dated 17-4-1969.

The following scheme, namely, Scheme for payment of pension of pensioners of the Government of Goa, Daman and Diu through Public Sector Banks which has been finalised by the Government of Goa, Daman and Diu with the prior approval of the Government of India and in consultation with the Director of Audit (Central) Bombay and Reserve Bank of India, is hereby published for general information of the public.

S. S. Sukthankar, Under Secretary (Finance).

Panaji, 22nd October, 1979.

### SCHEME FOR PAYMENT OF PENSIONS OF PENSIONERS OF THE GOVERNMENT OF GOA, DAMAN AND DIU THROUGH PUBLIC SECTOR BANKS

The Government of India in their office memorandum No. F.10(23)-B(TR)/76, dated 11-6-1976 have introduced a Scheme for the drawal of pensions by the pensioners through Public Sector Banks with a view to avoid hardship that may be caused to the pensioner for non-receipt of pension on due dates. The Government of Goa, Daman and Diu are desirous to extend this benefit to their pensioners existing as on 1st November, 1979 and those who may retire on or after 1st November, 1979.

2. The list of Public Sector Banks selected for this purpose in consultation with Reserve Bank of India and the Department of Revenue and Banking is given in Annexure — I.

2.A: — Definitions: For the purposes of this Scheme unless the context otherwise requires.

- 1) Director of Accounts means the Director of Accounts to the Government of Goa, Daman and Diu.

- 2) Public Sector Bank/Banks means the Bank/Banks listed in Annexure — I.
- 3) Link Branch means the branch of the Public Sector Bank conducting the business of the Bank at Panaji, which could also be the paying branch.
- 4) Paying Branch means, the branch of the bank making the payments of the pension.

3. Existing pensioners of the Government of Goa, Daman and Diu who are drawing pensions from the Treasuries and Sub Treasuries situated in Goa, Daman and Diu are given an option to have them transferred for payment by any branch of the selected banks at 2 above. Future pensioners will also be given the choice to draw their pensions from any branch of the selected banks as at 2 above.

4. Pension payments will be automatic; no bill will be required to be submitted. The amount of monthly pension will be automatically credited by the paying branch, selected by the pensioner, to his individual Savings/Current Account on due date, i. e. at the commencement of the following month, and if the 1st day of the following month other than the month of April, happens to be holiday, the amount will be credited on the last banking day of the month. Every pensioner availing of this facility will have to open Savings/Current Account in his/her name unless he/she is already having one.

Pensions *will not be paid* either in cash or through a "Joint" or an "either or survivor" accounts.

5. The procedure to be followed for the transfer of pension payment work to Public Sector Banks and the accounting of pension is given below.

#### Initial Action

6. The time schedule to be adhered by all concerned for the implementation of this scheme with effect from 1st November, 1979 has been indicated in the following sub-para.

6.1 *Public Sector Banks:* The branch of the Public Sector Bank, selected under the Scheme; at Panaji, will act as a link branch for coordination of work connected with the disbursement and accounting of pension payments by its various branches in Goa, Daman and Diu. In case there is more than one branch of a bank at Panaji one of its branches will be nominated as link branch for the purpose. Every Public Sector Bank as at Annexure I, will have to execute a bond of indemnity as per proforma en-

closed in Annexure VIII. The name and address of the link branch together with a complete list of other branches linked to it in Goa, Daman and Diu and their addresses will be communicated to the Director of Accounts, Panaji and also to the Treasury Officer, Panaji. This action should be completed by the 15th October, 1979.

**6.2 Treasury:** All Treasuries and Sub-Treasuries belonging to the Government of Goa, Daman and Diu, Asstt. Accounts Officer/Daman and Asstt. Accounts Officer/Diu will take immediate action for renewal of disburser's half of the pension payment Orders (P.P. Os) of the Union Territory pensioners under their payment control wherever such P.P.Os are torn or mutilated or where the disburser's half may not, in some exceptional cases, bear the photograph of the pensioner or that of the pensioner and the spouse, in which case the renewed/reconstructed copy of the disburser's half of the P.P.O. should be attested by the full signature of the Treasury/Sub-Treasury Officer, A.A.O./Daman and A.A.O./Diu, as the case may be, and countersigned by the Deputy Director of Accounts/Pensions. All the disbursers halves including the renewed/reconstructed should be forwarded to the Director of Accounts, Panaji in Pay Audit I Section. This work ought to be completed by the 25th November, 1979.

**6.3 Pay Audit Section I:** The entire work regarding transfer of P.P.Os to the link branches will be centralised in the P. A. I Section of the Directorate of Accounts. This work should be completed by the 20th November, 1979.

**6.4** On receipt of the information from the P. S. B. about the link Branch, the Dy. Director of Accounts, P. A. I Section will send a copy of the Special Seal together with his Specimen Signature duly countersigned by the Manager, State Bank of India, Panaji, to the Manager or Agent to the link Branch of each Public Sector Bank by name under registered cover.

**6.5 Pensioner:** Existing pensioners of the Government of Goa, Daman and Diu who are desirous of drawing their pensions from a Public Sector Bank will apply to the Treasury/Sub-Treasury Officer from whom they are receiving pension on or after 1st November, 1979 in the Form at Annexure — II, in duplicate.

Application received upto 15th of month will be processed for payment of the pensions pertaining to that month (payable on due date) at the selected branches of the Public Sector Banks. In the case of applications received after 15th of a month, these will be processed in the following month. Pensioners submitting their applications after 15th of a month may, in their own interest, draw pension from the Treasury/Sub-Treasury upto the month in which the application has been given.

Future pensioners will indicate their options in the application for pension.

Pensioners of the Union Territory of Goa, Daman and Diu, residing in other States will also enjoy the benefit of the scheme provided the concerned State Governments have introduced a similar scheme for payment of pension to its pensioners, and have also extended the same to cover the pensioners of

other State/Union Territory Governments drawing pension from the Treasuries in that State. The facility will be available at the branches of those Public Sector Banks which are selected to undertake pension payment work in that State. Their applications should be routed through the paying Treasury/Sub-Treasury of that State.

7. The preparatory work as indicated in paragraphs 8 and 9 below should be completed by the 25th November, 1979 by the Pay Audit Section I of the Directorate of Accounts and by the 30th November, 1979 by the Public Sector Banks so as to facilitate commencement of pension payments for the month November onwards (and payment of undrawn arrears, if any) by the P. S. Bs. from 1st December, 1979.

#### **Transfer of P. P. Os by the Pay Audit Section I to link branch**

8. In case of applications received at a Treasury/Sub-Treasury, the T. O./S. T. O. shall on receipt of the option immediately forward both the copies of the application, together with disburser's half of the P. P. O. to the Pay Audit Section I (P. A. I.) keeping a note in his records of the P. P. Os. so transferred.

8.1 The option applications (original copy) of the pensioner received by the P. A. I. Section, directly or through the T. Os/S. T. Os as mentioned in the proceeding paragraphs, shall be sent by him, under his omnibus Special Seal Authority and together with the disburser's half of the P. P. O. to the nominated link branch through a messenger or under registered cover. Simultaneously the pensioners will be advised to approach the Paying Branch specified in the application for receiving payments of pension.

8.2 While forwarding the above documents to the link branch the month upto which pension was paid by the Treasury/Sub-Treasury and the month from which pension payment is to be arranged by the P. S. B. branch will clearly be indicated. Applications received upto 15th of a month by a Treasury/Sub-Treasury should be forwarded alongwith disburser's halves to the P. A. I. Section by the 18th of that month and P. A. I. Section should forward these documents to the link branch of the concerned P. S. B. latest by the 25th of that month to facilitate commencement of pension payments by the P. S. B. paying branch on the 1st of the next month. Applications received after 15th of a month, should be treated as applications received upto 15th of the following month.

8.3 In respect of new pensioners, the Director of Accounts, whilst issuing the P. P. O. will mention on the P. P. O. itself the particular branch of the P. S. B. from which the pensioner has opted to draw the pension and forward both the halves to the link branch of that P. S. B.

8.4 P. A. I. Section of the Directorate of Accounts will maintain a record of all P. P. Os transferred by them to the P. S. B. The duplicates of pensioners option application will be retained in the P. A. I. Section.

### Transmission of P. P. Os by link branch to paying branch of P. S. B.

9. A register in the form prescribed in Annexure III will be maintained at the nominated link branches at Panaji to serve as an index of the pension payments authorised to be made by the P. S. B. in the Union Territory.

9.1 On receipt of documents from P. A. I Section of the Directorate of Accounts as indicated in paragraphs 8.1 to 8.3 above, the link branch will verify the Special Seal and Specimen Signature of the Dy. Director of Accounts, Pensions received under paragraph 6.4 as on record with the link branch.

9.2 The documents received from the P. A. I Section of the Directorate of Accounts, viz, the disburser's half/both the halves of the P. P. O. and the original option application of the pensioner will thereafter be immediately forwarded by the link branch to the particular branch specified by the pensioners hereafter referred to as the 'paying branch'.

9.3 *Transfer of pension within Goa:* — Whenever any pensioner consequent to his shifting to another place in Goa, desires to draw pension at his new station, he shall intimate so in writing to the Link Branch through the paying branch from where he is drawing his pension. The Link Branch will transfer the documents to the concerned branch if the payment at the new station is to be made from the branch of the same Public Sector Bank. In case, however, at the new station of the pensioner, the branch of the same Public Sector Bank is not available, the link branch will return the documents to the Director of Accounts alongwith the request of the pensioner. On receipt of these documents in the Directorate, the Directorate of Accounts will authorise the payment at the Branch of another Public Sector Bank.

9.4 Whenever any pensioner drawing pension from a Treasury/Sub-Treasury outside Goa desires to settle in Goa, Daman and Diu and to opt for drawal of pension from any of the Public Sector Bank (as at 2 above) he will submit his application with a form of option supported by an application for transfer and his half of the P. P. O to the Treasury/Sub-Treasury from where he is drawing his pension, for the transfer. The Treasury Officer/Sub-Treasury Officer will then forward the application and the option form together with both the halves of the P. P. O. to the Accountant General of the State concerned, who will in turn forward the same to the Directorate of Accounts (P. A. I Section) for further necessary action, as laid down in Rule 4, 5, 6, 8, etc.

### Functions of paying branch in Goa, Daman and Diu

10. On receipt of documents from link branch, as indicated above and before commencing payment of pension, the paying branch will —

- (i) advice the pensioner to appear at the branch for his identification;
- (ii) obtain an undertaking as per form enclosed in Annexure IX from the pensioner that excess payment credited to his/her account, due to delay in receipt of any material information or bonafide error,

can be recovered by the bank. The undertaking need not be on Stamp paper; and

- (iii) obtain, in the case of a new pensioner, Specimen Signature or thumb impression, as the case may be, in the space provided for the purpose in the disburser's portion of the P. P. O. and hand over pensioner's portion of P. P. O. to him/her.

10.1 The process of identification has been laid down in Rule 356 of the Central Treasury Rules. This comprises checking of the Signature of the pensioner with that available on the disburser's portion of the P. P. O. and resemblance with the pensioner's photograph thereon. A new pensioner has also to produce his personal copy of the letter of the Director of Accounts, Panaji forwarding the P. P. O.

In case the photograph is not available on the disburser's portion, the paying branch will, in due course, obtain new photograph from the pensioner (which can be attested by any Officer of the Public Sector Bank) and complete the disburser's portion.

10.2 Such personal identification of the pensioner will be only for the first payment of pension at the paying branch.

10.3 No bill will be required to be submitted by the pensioner for drawing pension at the paying branch. The pension will be paid by the paying branch, after deduction of tax and other deductions such as Indemnity, pension contribution in respect of Absorbed Employees, and Montepio contribution as mentioned in the P. P. O. by credit to the Savings/Current Account of the pensioner with the paying branch. Pension will *not* be paid either in cash or through a "Joint" or "either or survivor" account. The paying branch will credit the pensioner's account for the net amount of the pension payable for a month on due date as indicated in paragraph 4 above; if, in exceptional cases the pension payment could not be credited on the due date, it must be ensured that it is credited as soon thereafter as possible and in any case not later than the 7th of the month following the month for which pension is due.

10.4 The paying branch will be responsible for deduction of income-tax at source from the pension payments in accordance with, the rates prescribed from time to time. Where such deductions are made, the paying branch will issue to the pensioner, in April each year, a certificate of tax deducted, in the form prescribed in the Income-tax Rules. The paying branch will also be responsible for any other deductions as may be mentioned in the P. P. O.

10.5 The paying branch will maintain a detailed record of pension payments made by it from time to time in the form prescribed in Annexure IV. Every payment will also be entered on disburser's portion of the P. P. O. and authenticated by the authorised Officer of the paying branch.

10.6 The scrolls will be prepared by the paying branch in quadruplicate in the form prescribed in Annexure IV except where paying and link branch is the same. In the latter cases, only three copies would be prepared.

The paying branch will send advice of pension payments to its link branch by the 10th of each month, the certificate of payment being recorded on the advice itself. One copy of the scrolls will be retained by the paying branch for its own record and the remaining copies of the scrolls alongwith the certificates to be submitted by the pensioners under paragraph 14 below will be sent alongwith pension payment advice to the link branch.

### Functions of the Link Branch

11. On receipt of payment advices and three copies of the scrolls along with the necessary supporting documents from all the paying branches, the Link Branch will send, by the 15th of each month two copies of the scrolls and the supporting documents along with a summary sheet and a duly stamped receipt acknowledging receipt of the amount from Government on behalf of the pensioners, to the State Bank of India, Panaji. The triplicate copy of the scrolls and the payment advices received from the paying branches will be retained by the concerned link branch.

### Reimbursement to Public Sector Bank

11.1 On receipt of the scroll etc. from the Public Sector Link Branch, the State Bank of India, Panaji, shall check the scroll to ensure that it is complete in all respects and is accompanied by the relevant certificate in respect of each payment included therein. Thereafter, the net amount of pensions disbursed by Public Sector Bank will be reimbursed to the P. S. B. by debit to Goa Govt. account. A copy of the debit advice together with both the copies of the scrolls and other supporting documents received from the Link Branch will be sent by the State Bank of India, Panaji, to the Treasury Officer, Panaji.

### Functions of Treasury Officer

12. The Treasury Officer will check the correctness of the totals and thereafter incorporate the transactions in his accounts to be submitted to the Director of Accounts, Panaji, in the Book — II Section along with the original copy of the scrolls and related documents. The copy of the scrolls will be retained in the Treasury Panaji.

12.1 The Treasury Officer will be responsible for accounting of gross pensions and deductions towards income-tax and others while rendering the Treasury accounts to the Director of Accounts.

13. On receipt of the Treasury accounts, the Director of Accounts will adjust the transactions in the usual manner.

### Certificate to be furnished by the Pensioner

14. *Life Certificate*: The pensioner would be required to furnish a life certificate once a year in the month of November in the form prescribed in Annexure V(I). Officers of the Public Sector Banks are authorised to give life certificate for this purpose. These certificates are to be sent alongwith scrolls for the month of November.

14.1 *Non employment Certificate*: Retired Union Territory Group A Officers are also required to furnish a declaration in May and November, each year, in the form prescribed in Annexure V(II) about acceptance/non acceptance of commercial employment within two years from the date of their retirement and also about acceptance/non acceptance of any employment under any Government outside India. These certificates are to be submitted alongwith scrolls of the above two months. In case where the commercial employment (within two years from the date of retirement)/employment under a Government outside India has been accepted without obtaining Government's approval, the paying branch will seek Government orders through the Pay Audit I Section of the Directorate of Accounts, Panaji before making further pension payment.

14.2 *Non-marriage/Re-marriage Certificate*: In the case of widow recipients of family pension, the Certificate of re-marriage prescribed in Annexure V(III) will not be necessary. An undertaking will be obtained from the widow that she will report such an event to the pension disbursing Office promptly.

In the case of other recipients of family pensions (a widower or an unmarried daughter) a certificate of non-marriage/re-marriage is required to be furnished by the recipient, once every six months (in May and November), in the form prescribed in Annexure V(III).

### Transfer of Pensions

15. Applications for transfer of pensions may fall under any of the following categories:

- (i) transfer from one paying branch to another of the same P. S. B. at the same station or in the same district; or
- (ii) transfer from one P. S. B. to another P.S.B. in a different district.

Requests falling under category (i) above may be entertained by the P. S. B. itself. The paying branch will return disburser's half of the P. P. O. to the link branch indicating the month upto which the payment has been made to the pensioner. On receipt, the link branch will make necessary entries in the register maintained by it in the form in Annexure III and forward the disburser's half to the other paying branch for making future pension payments, under intimation to the P. A. I Section of the Directorate of Accounts, Panaji.

15.1 In cases falling under (ii) above, the paying branch will return, to its link branch both the halves of the P. P. O. and the link branch will return both the halves of the P. P. O. to the P. A. I Section of the Directorate of Accounts, Panaji indicating the month upto which the pension payment has been made by the paying branch. On receipt of these documents from the Link Branch of Public Sector Bank P. A. I Section will take necessary action for future payment of the pensions as per pensioner's requests in terms of these orders or rule 335-A of the Central Treasury Rules, as the case may be.

15.2 To avoid the risk of overpayment at the time of transfer, the following certificate should be recorded on the pension payment order by the paying branch "Certified that the payment of

pension upto the month ... has been made and that his pension payment order consists of ... continuation sheets for recording disbursement."

### Relief to Pensioners

16. Whenever relief/ad-hoc relief to pensioners is sanctioned by the Government, the Deputy Director of Accounts, P.A.I. Section will clarify the method of calculating the additional entitlement of the pensioner on this account, based on the orders issued by Government of India, by issue of general instructions in case of service pensioners and will supply it to Link Branches of all authorised public sector banks in the Union Territory through Reserve Bank of India. On receipt of such clarification the Link Branches will authorise its paying branches, to undertake calculation of additional relief due to each Goa Government pensioner under its payment by supplying a copy of the instruction for such calculation. On receipt, the paying branch will calculate the additional entitlement due in each case, enter the entitlement and its effective date in the disburser's portion of the PPO under due attestation by the branch manager or in-charge, and commence payment at the enhanced rate to the pensioner together with arrears on this account if any.

However, in case of pensioners of "Pensao de Sangue" and ex-gratia pensioners such as "Lisbon/Mocambique Montepio pensioners" and "pensioners on account of service rendered in former Portuguese colonies," individual authorisation in respect of each P.P.O. will be issued through Reserve Bank of India to the respective Link Branches by the Deputy Director of Accounts, P.A.I. Section, as and when ad-hoc relief is sanctioned.

16.1 Immediately after additional relief is so calculated by the paying branch for all the Goa Government pensioners under its payment, it will prepare a statement in quadruplicate in the form at Annexure VII covering all such pensioners, and send the first two copies thereof to the Dy. Director of Accounts, Pay Audit I Section, through the link branch. The Deputy Director of Accounts, Pay Audit I Section will immediately check the statements, and where necessary, indicate in all copies the correct entitlement on account of additional relief in the 'Remarks' column of the statement under his attestation; within two weeks of the receipt of the statement by him, the Deputy Director of Accounts, Pay Audit I Section, will return the original copy of the statement, duly checked and attested by him, to the paying branch through the link branch and keep the other two copies for his record. The link branch will amend its records on the basis of the checked statement and return the original statement to the paying branch, which will amend its records and correct the entitlements already entered by it on the PPO wherever necessary, and take immediate steps to adjust over/under payments already made to the pensioner, if any.

16.2 Whenever a paying branch is unable to follow the procedure prescribed in paragraphs 16 and 16.1 above, it will prepare immediately statement in triplicate covering all the Goa Government pensioners under its payment in the same form as in Annexure VII but leaving blank column 5 thereof, and send all copies thereof immediately to

the Deputy Director of Accounts Pay Audit I Section, through the link branch. The Deputy Director of Accounts, Pay Audit I Section, will immediately check the statement and fill in column 6 in all copies under his attestation and will, within two weeks, return the original to the paying branch through the link branch keeping the duplicate and triplicate copy for his record. The link branch will transmit the original to the paying branch after amending its own records as necessary. On return of the original, the paying branch will enter the indicated entitlements on the PPOs disburser's portion under the attestation of the branch manager or in-charge and proceed with the payment of the enhanced entitlement to each pensioner including arrears on that account, if any.

16.3 The enhanced entitlement on account of sanctioned relief/ad-hoc relief and its effective date may be entered by the paying branch on the pensioner's portion of the PPO, at his request, only after the same is indicated/confirmed by the Deputy Director of Accounts, Pay Audit I Section.

### Commutation of Pensions

17. In the case of commutation of a pension, in payment through P.S.B., being sanctioned, the following procedure will be followed for its payment and amendment of the P.P.O.

17.1 On receipt of communication from the competent authority sanctioning commutation and indicating the revised rate of pension payable after commutation, the Director of Accounts, Panaji will forward it, under his Seal, to the paying branch through the Link Branch of the P.S.B. for arranging payment. On receipt of the authority the paying branch will —

- (i) arrange immediately payment of the commuted portion of the pension and indicate in the related payment scroll against this item of payment the letter of authority issued by P.A.I. Section;
- (ii) enter the date of commutation payment and date from which the reduced pension is payable (as indicated in the commutation sanction) in the disburser's portion of the P.P.O. immediately (as well as on the pensioner's portion of the P.P.O. at the earliest opportunity);
- (iii) commence payment of reduced pension and simultaneously arrange recovery of excess payment made, if any, to the pensioner; and
- (iv) advice the P.A.I. Section through the Link Branch the date on which payment of commuted portion of pension was made and the date from which payment of reduced pension has commenced.

The link branch will also make appropriate entries in its records on the basis of such intimation.

### Arrears of Pension on death of Pensioner

18. Pension can be drawn for the day of the pensioner's death. On death of a pensioner, the paying branch will receive death certificate of the pensioner and work out any arrears due to the deceased



or over-payments, if any, made to him. It will immediately take action to recover the overpayments from the deceased's accounts for which P. S. B. would have obtained an undertaking from the pensioner as provided in paragraph 10(ii) above. For payment of any arrears to the heir of the deceased pensioner, the P. S. B. will seek instructions of the Director of Accounts, Panaji in the P. A. I Section.

### Family Pension

19. The P. P. Os issued by the Director of Accounts indicate the entitlement in respect of family pension to the widow/husband consequent on the death of the pensioner. The Treasury Officers are authorised to commence payment of family pension on receipt of death certificate of the pensioner and the application for grant of family pension to her/him in Form TR 40-A (Annexure VI). A separate P. P. O. is not issued for this purpose by the Director of Accounts, Panaji.

19.1 In the case of pensioners drawing their pensions through P. S. Bs., payment of family pension at the rate indicated in the P. P. O. may be commenced by paying branch on receipt of death certificate and application for family pension in Form TR 40-A (Annexure VI) along with the pensioner's portion of P. P. O. The paying branch will enter the date of death of the pensioner in the disburser's portion of the P. P. O. and also make entries in the register in form at Annexure IV.

Payment of family pension will be made by credit to savings/current account of recipient (not a 'joint' or 'either or survivor' Account) which may be opened if the recipient does not already have one. Additionally, an undertaking, similar to the one referred to in paragraph 10(ii) will be obtained by the paying branch from the recipient before the family pension is paid.

The paying branch will also advise the P. A. I Section through the link branch, the date of the pensioner's death and commencement of payment of family pension for keeping record.

19.2 As earlier mentioned in paragraph 14.2 the paying branch will be responsible for obtaining certificate of re-marriage/non-marriage from the recipient.

### Cessation of Pension

20. When pension ceases to be payable to pensioner/recipient of a family pension on death etc., the paying branch will make necessary entries in the P. P. O. and its records and return it to the link branch which will likewise amend its records and send the P. P. O. to the P. A. I Section. The latter will likewise amend its records.

### Miscellaneous

21. If all the pages for entering monthly payments in the disburser's portion of P. P. O. gets fully used up, the paying branch may add extra sheet(s) with similar columns for noting further payments. A suitable entry will be made by the paying branch on the P. P. O. (disburser's portion) whenever a continuation sheet is added specifying the number of cages available on the sheet.

22. The accounts, records and registers maintained in the branches of the P. S. Bs making pension payments and also in the link branch shall be open to audit by the Comptroller and Auditor of India or any person appointed by him in his behalf.

23. With the introduction of this new scheme, the present restricted facility for collecting pensions through the banks on the presentation of bills to the treasuries will be withdrawn in stages.

24. The relevant provisions of the Central Treasury Rules may be deemed to stand amended to the above extent.

### ANNEXURE I

Goa, Daman and Diu	1. State Bank of India
	2. Bank of India
	3. Bank of Baroda
	4. Central Bank of India
	5. Canara Bank
	6. Syndicate Bank

### ANNEXURE II

#### Application for drawal of pension through Public Sector Banks

(To be submitted in duplicate)

To

The Treasury/Sub-Treasury Officer,  
(Place)

Sir,

I opt to draw my pension through Public Sector Bank and give below necessary particulars to enable you to make arrangements in this regard:

#### 1. Particulars of Pensioner

- Name
- P. P. O. No.
- Present Address

#### 2. Particulars of authorised P. S. B.

- Name
- Branch where payment desired

3. \* Pensioner's S. B./Current Account No. ... at the Branch to which pension is to be credited.

Yours faithfully,

Place:

(Pensioner)

Date:

Pensioner's Specimen Signature

\* (Not 'join' or 'either or survivor' account).

## REVERSE

## For use in Sub-Treasury

Forwarded to P. A. I Section alongwith Disburser's half of Shri/Smt./Kum. ... the pension has been paid for the period upto the month of ...

Try./Sub-Treasury Officer

For use in Pay Audit I Section of Directorate of Accounts Forwarded to the Manager/Agent ... (Link Branch of PSB). The Disburser's half/both halves of PPO of Shri/Smt./Kum. ... bearing No. ... is (are) sent herewith.

The pensioner has been paid pension for the period upto the month of ...

Pension due from the month of ... is to be arranged by the Bank.

Station:

Date:

Dy. Director of Accounts/Pension  
(with his Seal)

## ANNEXURE III

## Index register of Pension Payments authorised through branches of the Public Sector Banks

Name of the pensioner	No. of the pension payment order (P. P. O.)	Monthly amount of pension (basic pension and relief to be shown separately)	Branch at which is to be made	Date from which pension payment will commence	Remarks
(1)	(2)	(3)	(4)	(5)	(6)

1.

2.

3.

Note: — Each entry should be attested by the nominated officer of the link branch of the Public Sector Bank.

(Additional entries may be provided under Reserve Bank's instructions).

## ANNEXURE IV

## Register of payment of Pension

Name of the pensioner	No. of the pension payment order (P. P. O.)	Period for which the pension is paid	Amount of the pension (basic pension and relief to be shown separately)	Recovery of over-payment if any	Income-tax deduction	Other deductions, such as indemnity, pension contribution in respect of absorbed employees and Montepio Contribution	Net amount paid	Allocation pensions as indicated in the P. P. O.	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

1.

2.

3.

Note: — Each entry should be attested by the nominated officer of the branch at which the payment is made.

(Additional entries may be provided under Reserve Bank's instructions).

## ANNEXURE V

## Certificate to be submitted by Pensioner

(See paragraph 14)

## I. LIFE CERTIFICATE

Certified that I have seen the Pensioner ... holder of pension Payment Order No. ... and that he is alive on this date.

Place:

Name: ...

Date:

Designation of authorised Officer: ...

...

Seal: ...

## II. NON-EMPLOYMENT CERTIFICATE

\*I declare that I have accepted commercial employment after obtaining/without obtaining sanction of the Government. (To be furnished by Retired Union Territory Group A Officers during first two years from the date of retirement).

\*I declare that I have/have not accepted any employment under any Government outside India after obtaining/

/without obtaining sanction of the Government. (To be furnished by Retired Union Territory Group A Officers only).

Place:

Signature ...

Date:

Name of the Pensioner ...

...

...

P. P. O. No.

\* Delete whichever is not applicable.

## III. CERTIFICATE OF RE-MARRIAGE/NON-MARRIAGE

I hereby declare that I am not married/I have not been married during the past six months Or

I hereby declare that I have not been re-married and I undertake to report such an event to the Treasury/Bank.

Place:

Signature ...

Name of the Pensioner ...

...

P. P. O. No. ...

I certify to the best of my knowledge and belief that the above declaration is correct.

Signature of responsible Officer  
or a well known person

Place: \_\_\_\_\_ Name: ...  
Date: \_\_\_\_\_ Designation: ...

## ANNEXURE VI

Form T. R. 40A

(See Rule 354-A)

## FORM OF APPLICATION

(Family Pension Scheme for Central Government Employees, 1964)

Application for a family pension for the family of late  
Shri/Smt/ ... (Designation) ... in the Office/Department/  
/Ministry of ...

1. Name of the applicant:
2. Relationship to the deceased Government servant/pensioner:
3. Date of retirement, if the deceased was a pensioner:
4. Date of death of Government servant/pensioner:
5. Names and ages of surviving kindred      Name      Date of birth  
of the deceased  
Widow/Widower  
Sons  
Unmarried Daughters
6. Name of Treasury/Sub-Treasury P. S. B. branch at which payment is desired.
7. Signature or left hand thumb impression (in the case of those who are not literate enough to sign their names)
8. Descriptive roll of ... widow/widower/guardian of the minor children of late ...
  - (i) Date of birth:
  - (ii) Height:
  - (iii) Personal marks, if any, on hand or face
  - (iv) Left-hand thumb and finger impressions.

Small finger	Ring finger	Middle finger	Index finger	Thumb
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9. Full address of the applicant:

Attested by —

Witness —

(1) ..... (1) .....

(2) ..... (2) .....

**Note:** The descriptive roll (column 8) and signature or left-hand thumb and finger impressions accompanying application for family pension should be in duplicate in two separate sheets and attested by two gazetted officers or persons of respectability in the town, village or pargana which the applicant resides.

## ANNEXURE VII

**Statement of entitlements of additional relief/ad-hoc relief to Union Territory pensioners sanctioned vide Government of India, Ministry of Finance Office Memorandum No. ... dated the...**

Sl. No.	Name of pensioner	Number of P. P. O.	Date of retirement	Amount of the pension (basic pension and relief to be shown separate)	Additional relief payable w. e. f.	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Station: \_\_\_\_\_ (Signature of Manager or in-charge  
Date: \_\_\_\_\_ of the paying branch, with stamp)

Forwarded in triplicate to the Dy. Director of Accounts,  
P. A. I. Section ....

Station:                      Date:

(Authorised signature of the link  
branch officer with stamp/seal)

## ANNEXURE VIII

THIS BOND OF INDEMNITY executed at ... this... day  
of ... One Thousand Nine Hundred and ... by .....  
(Name of the Bank)

a banking corporation established under the State Bank of India Act, 1955/State Bank of India (Subsidiary Banks Act, 1959/the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 and having its Head Office at ... (hereinafter referred to as "the Bank", which term shall unless repugnant to the context, include its successors and assigns) to finally bind themselves in favour of the President of India and for any loss caused to the Government for any wrong or overpayment made for the payments of pension.

WHEREAS the Government of India (hereinafter referred to as "the Government") have decided to provide facility to certain pensioners of the Government to receive their pension at any branch of the Bank in terms of the orders issued in this behalf by the Government in force from time to time and subject to the Bank's agreeing to indemnifying the President of India against any loss caused to the Government on account of a wrong or overpayment that may be made by the Bank.

AND WHEREAS the Bank has agreed to arrange payments on behalf of the Government to such pensioners by credit to their savings/current accounts and to indemnify the Government by executing this indemnity.

NOW THIS BOND OF INDEMNITY WITNESSES that in pursuance of the said agreement the Bank does hereby covenant with, and undertake to, the President of India and his successors in office, that in consideration of the President of India agreeing to pay to the Bank from time to time the amounts of the pensions due to and paid by the Bank to the said pensioners of the Government who are the Constituents of Bank, the Bank hereby undertake to refund to the President of India on demand and without demur any amount which is so paid to the Bank by the President of India but is found or established not to have been paid wholly or in part to the pensioners concerned by the Bank, or any amount, which has been paid to a pensioner, including any person drawing a family pension, beyond the date on which the pension, including any family pension, was or is due, or any amount which has been wrongly paid or any amount which has been paid otherwise then, or in excess of, the authority granted and instructions issued to the Bank by the Government or the Reserve Bank of India from time to time.



The Bank hereby agrees that the amount of money when demanded by the Government from the Bank as due and payable to the Government by the Bank on account aforesaid shall be conclusive as to the amount due and the liability of the Bank to pay the said amount to the Government.

The Bank hereby agrees with and undertakes to the President of India and his successors in office that it shall furnish to the authority specified or nominated in this behalf by the President of India such information relating to the pensions in question which have been paid by the Bank as may be called for by such authority from time to time having regard to the provisions of any law which may for the time being be in force or the practice among bankers in regard to the secrecy of their information relating to their customers' accounts.

The stamp duty payable on the document will be paid by the President of India.

IN WITNESS WHEREOF THE ... HAS CAUSED THESE PRESENTS to be executed on its behalf the day and year first hereinabove written.

SIGNED AND DELIVERED BY ... on  
behalf of the ... Bank in the presence of — } Witness  
(1)  
(2)

Accepted for and on behalf of the President of India by ... in the presence of ...

#### ANNEXURE IX

##### Specimen of letter of undertaking

The Branch Manager

Bank (Bank's name)

Branch (Branch's Name)

Dear Sir,

Payment of pension under P. P. O.

No. through your office

In consideration of you having at my request agreed to make payment of pension due to me every month by credit to my account with you. I, the undersigned, agree and undertake to refund or make good any amount to which I am not entitled or any amount which may be credited to my account in excess of the amount which I am or would be entitled. I further hereby undertake and agree to bind myself and my heirs, successors, executors and administrators—to indemnify the bank from and against any loss, suffered or incurred by the bank in so crediting my pension to my account under the scheme and to forthwith pay the same to the bank and also irrevocably authorise the bank to recover the amount due by debit to my said account or any other account/deposits belonging to me in the possession of the bank.

Yours faithfully,

Signature:

Name:

Address:

Date:

Witness:-

I) Signature:

Name:

Address:

II) Signature:

Name:

Address:

#### Law Department (Legal Advice)

#### Notification

LD/3500/79

The following Ordinances which were recently promulgated by the President of India are hereby republished for general information of the public.

B. S. Subbanna, Under Secretary (Law).

Panaji, 15th October, 1979.

#### MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 25th September, 1979/  
Asvina 3, 1901 (Saka)

#### THE GOVERNMENT OF UNION TERRITORIES (AMENDMENT) ORDINANCE, 1979

No. 8 of 1979

Promulgated by the President in the Thirtieth Year of the Republic of India.

An Ordinance further to amend the Government of Union Territories Act, 1963.

Whereas the House of the People has been dissolved and the Council of States is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, Therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Government of Union Territories (Amendment) Ordinance, 1979.

(2) It shall come into force at once.

2. *Act 20 of 1963 to be temporarily amended.*—During the period of operation of this Ordinance, the Government of Union Territories Act, 1963 (hereinafter referred to as the principal Act) shall have effect subject to the amendment specified in section 3.

3. *Insertion of new section 52.*—After section 51 of the principal Act, the following section shall be inserted, namely:—

*Authorisation of expenditure by President.*—“52. Where the Legislative Assembly of a Union territory is dissolved, or its functioning as such Assembly remains suspended, on account of an order under section 51, it shall be competent for the President to authorise when the House of the People is not in session expenditure from the Consolidated Fund of that Union territory pending the sanction of such expenditure by Parliament.”

N. SANJIVA REDDY,  
President.

R. V. S. PERI SASTRI,  
Secy. to the Govt. of India.

New Delhi, the 25th September, 1979/  
/Asvina 3, 1901 (Saka)

THE COMPANIES (AMENDMENT)  
ORDINANCE, 1979

No. 9 of 1979

Promulgated by the President in the Thirtieth Year  
of the Republic of India.

An Ordinance further to amend the Companies Act,  
1956.

Whereas the House of the People has been dissolved and the Council of States is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, Therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Companies (Amendment) Ordinance, 1979.

(2) It shall come into force at once.

2. *Amendment of section 293A.*—In section 293A of the Companies Act, 1 of 1956, —

(i) in sub-section (1), for the words “contribute any amount or amounts”, the words “make any contribution” shall be substituted;

(ii) after sub-section (2), the following sub-sections shall be inserted, namely:—

“(3) If any member or office-bearer of a political party or any other person receives from any company, whether directly or indirectly, any contribution to a political party, or for political purposes, in contravention of the provisions of this section, he shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine.

(4) If a company or any officer thereof, directly or indirectly, renders assistance, in any form, to an individual or body to enable such individual or body to make contribution, or to obtain reimbursement for contribution made, to a political party or for any political purpose, then,—

(i) the company shall be punishable with fine which may extend to five thousand rupees; and

(ii) every officer of the company who renders, or authorises, such assistance shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine.

(5) For the purposes of sub-sections (1), (2), (3) and (4) contribution by a company to a political party, or for political purposes, includes—

(i) every direct or indirect donation, subscription or other payment, or provision of any service or assistance, in whatever form, made, or given, or caused to be made or given, by the company to such political party or for such political purposes;

(ii) every donation, subscription or other payment, or provision of any service or assistance, made or given, or caused to be made or given, by, or on behalf of, the company or on its account, to any individual or body, who, or which, to the knowledge of the company, is carrying on, or proposing to carry on, any activities which can, at the time at which such donation, subscription, other payment, or provision of any service or assistance, is made or given, or caused to be made or given, be reasonably regarded as likely to affect public support for such political party or any other political party or political purpose supported by such political party.

*Explanation.*—Every expenditure incurred, whether directly or indirectly, by a company on advertisement in any souvenir, brochure, pamphlet or the like, published by, or on behalf of, a political party shall be deemed, for the purposes of this section, to be a contribution for political purposes.

(6) Nothing in Chapter XXXVI of the Code of Criminal Procedure, 1973, shall apply to— 2 of 1974.

(i) any offence punishable under this section; or

(ii) any other offence, which under the provisions of that Code may be tried along with an offence under this section,

and every offence referred to in clause (i) or clause (ii) may be taken cognizance of by the Court having jurisdiction as if the provisions of that Code were not enacted.”.

N. SANJIVA REDDY,  
President.

R. V. S. PERI SASTRI,  
Secy. to the Govt. of India.

THE PREVENTION OF BLACKMARKETING AND  
MAINTENANCE OF SUPPLIES OF ESSENTIAL  
COMMODITIES ORDINANCE, 1979

No. 10 of 1979

New Delhi, the 5th October, 1979/  
/Asvina 13, 1901 (Saka)

Promulgated by the President in the Thirtieth Year  
of the Republic of India

An Ordinance to provide for detention in certain cases for the purpose of prevention of blackmarketing and maintenance of supplies of commodities essential to the community and for matters connected therewith.

Whereas the House of the People has been dissolved and the Council of States is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, Therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance: —

1. *Short title extent and commencement.* — (1) This Ordinance may be called the Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Ordinance, 1979.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Definitions.* — In this Ordinance, unless the context otherwise requires, —

(a) “appropriate Government” means, as respects a detention order made by Central Government or by an officer of the Central Government or a person detained under such order, the Central Government, and as respects a detention order made by a State Government or by an officer of a State Government or as respects a person detained under such order the State Government;

(b) “detention order” means an order made under section 3;

(c) “State Government”, in relation to a Union territory, means the administrator thereof.

3. *Power to make orders detaining certain persons.* — (1) The Central Government or a State Government or any officer of the Central Government, not below the rank of a Joint Secretary to that Government specially empowered for the purposes of this section by that Government, or any officer of a State Government, not below the rank of a Secretary to that Government specially empowered for the purposes of this section by that Government, may, if satisfied, with respect to any person that with a view to preventing him from acting in any manner prejudicial to the maintenance of supplies of commodities essential to the community it is necessary so to do, make an order directing that such person be detained.

*Explanation.* — For the purposes of this sub-section, the expression “acting in any manner prejudicial to the maintenance of supplies of commodities essential to the community” means —

(a) committing or instigating any person to commit any offence punishable under the Essential Commodities Act, 1955, or under any other law for the time being in force relating to the control of the production, supply or distribution of, or trade and commerce in, any commodity essential to the community; or

(b) dealing in any commodity —

(i) which is an essential commodity as defined in the Essential Commodities Act, 1955, or

(ii) with respect to which provisions have been made in any such other law as is referred to in clause (a),

with a view to making gain in any manner which may directly or indirectly defeat or tend to defeat the provisions of that Act or other law aforesaid.

(2) Any of the following officers, namely —

(a) district magistrates;

(b) Commissioners of Police, wherever they have been appointed,

may also, if satisfied as provided in sub-section (1), exercise the powers conferred by the said sub-section.

(3) When any order is made under this section by an officer mentioned in sub-section (2), he shall forthwith report the fact to the State Government to which he is subordinate together with the grounds on which the order has been made and such other particulars as in his opinion have a bearing on the matter, and no such order shall remain in force for more than twelve days after the making thereof unless in the meantime it has been approved by the State Government:

Provided that where under section 8 the grounds of detention are communicated by the authority making the order after five days but not later than ten days from the date of detention, this sub-section shall apply subject to the modification that for the words “twelve days”, the words “fifteen days” shall be substituted.

(4) When any order is made or approved by the State Government under this section or when any order is made under this section by an officer of the State Government not below the rank of Secretary to that Government specially empowered under sub-section (1), the State Government shall, within seven days, report the fact to the Central Government together with the grounds on which the order has been made and such other particulars as, in the opinion of the State Government, have a bearing on the necessity for the order.

4. *Execution of detention orders.* — A detention order may be executed at any place in India in the manner provided for the execution of warrants of arrest under the Code of Criminal Procedure, 1973. 2 of 1974.

5. *Power to regulate place and conditions of detention.* — Every person in respect of whom a detention order has been made shall be liable —

(a) to be detained in such place and under such conditions, including conditions as to maintenance, discipline and punishment for breaches of discipline, as the appropriate Government may, by general or special order, specify; and

(b) to be removed from one place of detention to another place of detention, whether within the same State or in another State, by order of the appropriate Government.

Provided that no order shall be made by a State Government under clause (b) for the removal of a person from one State to another State except with the consent of the Government of that other State.

6. *Detention orders not to be invalid or inoperative on certain grounds.*—No detention order shall be invalid or inoperative merely by reason—

(a) that the person to be detained thereunder is outside the limits of the territorial jurisdiction of the Government or officer making the order, or

(b) that the place of detention of such person is outside the said limits.

7. *Powers in relation to absconding persons.*—(1) If appropriate Government has reason to believe that a person in respect of whom a detention order has been made has absconded or is concealing himself so that the order cannot be executed, that Government may—

(a) make a report in writing of the fact to a Metropolitan Magistrate or a Judicial Magistrate of the first class having jurisdiction in the place where the said person ordinarily resides; and thereupon the provisions of sections 82, 83, 84 and 85 of the Code of Criminal Procedure, 1973, shall apply in respect of the said person and his property as if the order directing that he be detained were a warrant issued by the Magistrate; 2 of 1974.

(b) by order notified in the Official Gazette direct the said person to appear before such officer, at such place and within such period as may be specified in the order; and if the said person fails to comply with such direction he shall, unless he proves that it was not possible for him to comply therewith and that he had, within the period specified in the order, informed the officer mentioned in the order of the reason which rendered compliance therewith impossible and of his whereabouts, be punishable with imprisonment for a term which may extend to one year or with fine or with both.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, every offence under clause (b) of sub-section (1) shall be cognizable. 2 of 1974.

8. *Grounds of order of detention to be disclosed to person affected by the order.*—(1) When a person is detained in pursuance of a detention order, the authority making the order shall, as soon as may be, but ordinarily not later than five days and in exceptional circumstances and for reasons to be recorded in writing, not later than ten days from the date of detention, communicate to him the grounds on which the order has been made and shall afford him the earliest opportunity of making a representation against the order to the appropriate Government.

(2) Nothing in sub-section (1) shall require the authority to disclose facts which it considers to be against the public interest to disclose.

9. *Constitution of Advisory Boards.*—(1) The Central Government and each State Government shall, whenever necessary, constitute one or more Advisory Boards for the purposes of this Ordinance.

(2) The constitution of every such Board shall be in accordance with the recommendations of the Chief Justice of the appropriate High Court.

(3) Every such Board shall consist of a Chairman and not less than two other members, and the Chairman shall be a serving Judge of the appropriate High Court and the other members shall be serving or retired Judges of any High Court.

*Explanation.*—In this section “appropriate High Court” means—

(a) in the case of the detention of a person in pursuance of an order of detention made by the Central Government or an officer of the Central Government or the administrator of the Union territory of Delhi or an officer subordinate to such administrator, the High Court for the Union territory of Delhi;

(b) in the case of the detention of a person in pursuance of an order of detention made by any State Government (other than the administrator of a Union territory) or an officer of such State Government, the High Court for that State; and

(c) in the case of the detention of a person in pursuance of an order of detention made by the administrator of a Union territory (other than the Union territory of Delhi) or an officer subordinate to such administrator, such High Court as the Central Government may, by order published in the Official Gazette, specify with respect to such Union territory.

10. *Reference to Advisory Boards.*—Save as otherwise expressly provided in this Ordinance, in every case where a detention order has been made under this Ordinance, the appropriate Government shall, within three weeks from the date of detention of a person under the order, place before the Advisory Board constituted by it under section 9, the grounds on which the order has been made and the representation, if any, made by the person affected by the order, and in case where the order has been made by an officer referred to in sub-section (2) of section 3, also the report by such officer under sub-section (3) of that section.

11. *Procedure of Advisory Boards.*—(1) The Advisory Board shall, after considering the materials placed before it and, after calling for such further information as it may deem necessary from the appropriate Government or from any person called for the purpose through the appropriate Government or from the person concerned, and if, in any particular case, it considers it essential so to do or if the person concerned desires to be heard, after hearing him in person, submit its report to the appropriate Government within seven weeks from the date of detention of the person concerned.

(2) The report of the Advisory Board shall specify in a separate part thereof the opinion of the Advisory Board as to whether or not there is sufficient cause for the detention of the person concerned.

(3) When there is a difference of opinion among the members forming the Advisory Board, the opinion of the majority of such members shall be deemed to be the opinion of the Board.

(4) Nothing in this section shall entitle any person against whom a detention order has been made to appear by any legal practitioner in any matter connected with the reference to the Advisory Board, and the proceedings of the Advisory Board, and its

report, excepting that part of the report in which the opinion of the Advisory Board is specified, shall be confidential.

**12. Action upon the report of Advisory Board.** — (1) In any case where the Advisory Board has reported that there is in its opinion sufficient cause for the detention of a person, the appropriate Government may confirm the detention order and continue the detention of the person concerned for such period as it thinks fit.

(2) In any case where the Advisory Board has reported that there is in its opinion no sufficient cause for the detention of the person concerned, the appropriate Government shall revoke the detention order and cause the person to be released forthwith.

**13. Maximum period of detention.** — The maximum period for which any person may be detained in pursuance of any detention order which has been confirmed under section 12, shall be six months from the date of detention:

Provided that nothing contained in this section shall affect the power of the appropriate Government to revoke or modify the detention order at any earlier time.

**14. Revocation of detention orders.** —

(1) Without prejudice to the provisions of section 21 of the General Clauses Act, 10 of 1897, 1897, a detention order may, at any time, be revoked or modified —

(a) notwithstanding that the order has been made by an officer of a State Government, by that State Government or by the Central Government;

(b) notwithstanding that the order has been made by an officer of the Central Government or by a State Government, by the Central Government.

(2) The revocation or expiry of a detention order shall not bar the making of a fresh detention order under section 3 against the same person in any case where fresh facts have arisen after the date of revocation or expiry on which the Central Government or a State Government or an officer, as the case may be, is satisfied that such an order should be made.

**15. Temporary release of persons detained.** — (1) The appropriate Government may, at any time, direct that any person detained in pursuance of a detention order may be released for any specified period either without conditions or upon such conditions specified in the direction as that person accepts, and may, at any time, cancel his release.

(2) In directing the release of any person under sub-section (1), the appropriate Government may require him to enter into a bond with or without sureties for the due observance of the conditions specified in the direction.

(3) Any person released under sub-section (1) shall surrender himself at the time and place, and to the authority, specified in the order directing his release or cancelling his release, as the case may be.

(4) If any person fails without sufficient cause to surrender himself in the manner specified in sub-section (3), he shall be punishable with imprison-

ment for a term which may extend to two years, or with fine, or with both.

(5) If any person released under sub-section (1) fails to fulfil any of the conditions imposed upon him under the said sub-section or in the bond entered into by him, the bond shall be declared to be forfeited and any person bound thereby shall be liable to pay the penalty thereof.

**16. Protection of action taken in good faith.** — No suit or other legal proceeding shall lie against the Central Government or a State Government, and no suit, prosecution or other legal proceeding shall lie against any person, for anything in good faith done or intended to be done in pursuance of this Ordinance.

N. SANJIVA REDDY,  
*President*

R. V. S. PERI SASTRI,  
*Secy. to the Govt. of India*

#### Notification

LD/3410/79

The following Notification received from the Government of India, Ministry of Labour, New Delhi is hereby republished for general information of the public.

B. S. Subbanna, Under Secretary (Law).

Panaji, 8th October, 1979.

#### GOVERNMENT OF INDIA

(BHARAT SARKAR)

MINISTRY OF LABOUR

(SHRAM MANTRALAYA)

*Dated New Delhi, the 21 August, 1979*

#### Notification

G. S. R. — In exercise of the powers conferred by section 5 read with sub-section (1) of section 7 of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby makes the following Scheme further to amend the Employees' Provident Funds Scheme, 1952, namely: —

1. (1) This Scheme may be called the Employees' Provident Funds (Fourth Amendment) Scheme, 1979.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In paragraph 68-L of the Employees' Provident Funds Scheme, 1952, in sub-paragraph 2, —

(a) in clause (i), the word "and" shall be omitted;

(b) after clause (ii), the following clause shall be inserted, namely: —

“(iii) the application for advance is made within a period of 4 months from the date of declaration referred to in sub-para (i)”.

(No. S. 70012(3)/79-PFII)

(HANS RAJ CHHABRA)

Deputy Secretary

### Corrigendum

In the Schedule to Recruitment Rules of Directorate Health Services published in the Official Gazette, Series I No. 28 dt. 11-10-1979, the following correction should be made:

At page 272, in column 7, Serial No. 6, the expression “At least 5 years experience” should read as “At least 3 years experience”.

At page 273, in column 8, Serial No. 10, “N. A.” should be inserted.